

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

VANCE HARRIS, JR.

VS.

LT. CASTRO, ET AL.

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§

C.A. NO. C-05-072

**DEFICIENCY NOTICE CONCERNING  
PLAINTIFF'S NOTICE OF APPEAL**

On March 8, 2006, plaintiff filed a Notice of Appeal (D.E. 82).<sup>1</sup> However, plaintiff did not seek leave to proceed on appeal *in forma pauperis*. ("i.f.p."), nor did he pay the \$ 455 appellate filing fee.

According, so that this appeal may move forward, plaintiff is ORDERED to either: (1) submit a properly completed application for leave to proceed i.f.p. on appeal, together with a current copy of his inmate trust fund account statement, within **twenty (20) days of the date of the entry of this Order**, or (2) pay the \$455.00 appellate filing fee within that same time period. The Clerk is instructed to mail plaintiff the appropriate i.f.p. forms with a copy of this Order. Plaintiff is advised that failure to comply with the deadlines set forth herein may result in dismissal of his appeal for failure to prosecute.

ORDERED this 3rd day of August 2006.

  
B. JANICE ELLINGTON  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> It is unclear exactly what order or orders plaintiff is attempting to appeal, but it appears he is challenging the order on dispositive motions (D.E. 77) and the order denying his request for a preliminary injunction (D.E. 78), both entered on February 10, 2006. On May 17, 2006, defendants were granted summary judgment in their favor and plaintiff's claims were dismissed. See D.E. 91, 92. Plaintiff did not appeal the summary judgment order.

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B. JANICE ELLINGTON  
UNITED STATES MAGISTRATE JUDGE